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February 22, 1988

James F. Culbertson
Member
Board of Trustees
San Joaquin Local Health District
1601 East Hazelton Avenue
P. O. Box 2009
Stockton, CA 95201

Dear Mr. Culbertson:

This letter will confirm action taken by the Lodi City Council at the regular meeting of February 17, 1988 whereby, following your presentation and discussion, Council by motion action indicated that it was not in favor of the disillusionment of the San Joaquin Local Health District.

It is requested that this message be conveyed to the San Joaquin Local Health District Board of Trustees.

Very truly yours,

Lodi City Council

by

Alice M. Reimche
Alice M. Reimche
City Clerk

AMR:jj

WILSON, HOSLETT & WHITRIDGE

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AL WARREN HOSLETT
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JOHN A. WILSON
(913-1084)

February 10, 1988

Board of Trustees
San Joaquin Local
Health District
P.O. Box 2009
Stockton, CA 95201

Attention: AL Crow, President

Re: Dissolution of San Joaquin
Local Health District

Dear Mr. Crow:

Relative to the above, at the meeting of the Board of Trustees held on January 26, 1988, Dr. Mast introduced a resolution to dissolve the Health District. That resolution was tabled for consideration until the Board's Regular Meeting on February 23, 1988.

As I advised you after the January meeting, the Cortese-Knox Local Government Reorganization Act of 1985 sets forth the requirements for a resolution to dissolve a public District.

Based upon the requirements of that Act and upon our conversation, I have prepared and am enclosing herewith a form of "Resolution Of Application For the Dissolution of the San Joaquin Local Health District". I have incorporated in this Resolution the agreed positions as contained in the Joint Resolution adopted by the Board of Supervisors and the Health District in 1986.

Once a resolution of application is adopted by the Board of Trustees, a certified copy of it must be filed with the Local Agency Formation Commission. Assuming that there is no formidable opposition from the County, it will take approximately nine (9) months to move through LAFCO, with the required studies and hearings, before the District could be formally dissolved and the functions assumed by the County.

If I can be of any further assistance to you in this matter, please feel free to call me.

Yours very truly,


AL WARREN HOSLETT

AHW/rdb
Enclosure

**RESOLUTION OF APPLICATION FOR THE DISSOLUTION
OF THE SAN JOAQUIN LOCAL HEALTH DISTRICT**

WHEREAS, the San Joaquin Local Health District was created pursuant to Stats. 1917, c. 571 (now found in Division 1, Part 2, Chapter 6 of the Health and Safety Code, commencing with Section 880); and

WHEREAS, by virtue of Government Code Section 56000 and Stats. 1985, c. 541, procedure for the dissolution of the San Joaquin Local Health District is governed by the Cortese-Knox Local Government Reorganization Act of 1985 (Division 3 of Title 5 of the Government Code, commencing with Section 56000); and

WHEREAS, the Board of Trustees of the San Joaquin Local Health District desires to initiate proceedings to dissolve the San Joaquin Local Health District in accordance with law, and for such purpose has passed and adopted this Resolution of Application pursuant to Section 56800 of the Government Code.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Trustees of the San Joaquin Local Health District as follows:

1. Application and a proposal is hereby made to the San Joaquin County Local Agency Formation Commission for the dissolution of the San Joaquin Local Health District pursuant to the Cortese-Knox Local Government Reorganization

Act: of 1985 set forth in Division 3 of Title 5 of the Government Code, commencing with Section 56000.

2. In support of said application and proposal, this Board of Trustees states and declares *as follows*:

- a) The nature of the proposed change of organization is the dissolution of the San Joaquin Local Health District.
- b) The affected cities include all of the cities in San Joaquin County. The affected county is San Joaquin County. The affected district is the San Joaquin Local Health District.
- c) This application is made for the reason that this Board of Trustees finds that transferring public health functions from the San Joaquin Local Health District to the County of San Joaquin will enhance the County's capability to obtain additional and equal health care funding from the State of California and will keep the employee unit of the Health District in tact, resolving any uncertainty or insecurity in Health District employees' destiny, while maintaining and improving the present level of health care service, and for such reasons that it is in the best interests of the employees and inhabitants of the Health District that such public health services and public health programs be provided and administered by the County of San Joaquin.

3. It is hereby requested that proceedings be taken for the dissolution of the San Joaquin Local Health District, as herein proposed.

4. Pursuant to Government Code Section 56844, this application for the dissolution of the San Joaquin Local Health District is made subject to the following proposed terms and conditions, to-wit:

- a) As provided in Section 56844(m) of the Government Code, upon the dissolution of the San Joaquin Local Health District, the County of San Joaquin be designated as the successor to the San Joaquin Local Health District for the purpose of succeeding to all of the rights, duties and obligations of the San Joaquin Local Health District with respect to enforcement, performance or payment of any outstanding bonds (including revenue bonds) or of any other contracts and obligations (including the existing pension [retirement] plan established for its employees and former employees) of the San Joaquin Local Health District.
- b) As provided in Section 57452 of the Government Code, upon the effective date of dissolution of the San Joaquin Local Health District control over all of the moneys or funds (including cash on hand and moneys due but uncollected) and all property, real or personal, of the San Joaquin

Local Health District shall be vested in the County of San Joaquin, as the successor, for the purpose of winding up the affairs of the San Joaquin Local Health District.

- c) In accordance with Section 56844(1) of the Government Code, upon the dissolution of the San Joaquin Local Health District, District employees' salaries, positions and benefits shall be determined in accordance with Sections 2-5006 and 2-5007 of San Joaquin County's Ordinance Code and as specified in this Resolution. The County Ordinance Code reads as follows:

"SECTION 2-5006. EMPLOYEES OF SUPERSEDED ORGANIZATIONS.

~~Whenever the County~~ assumes an activity previously performed by another governmental entity or by private enterprise, an employee of the superseded organization shall be assigned to a position in County service similar in duties and compensation to the position that he held in the superseded organization. The Personnel Director shall determine what constitutes similar duties and compensation in County service.

"SECTION 2-5007. EMPLOYEES OF SUPERSEDED ORGANIZATION: PLACEMENT RULES.

Notwithstanding the provisions of Section 2-5006, the following conditions shall be applicable to all such employees:

- (a) An employee of a superseded organization must meet the minimum education, experience, and special requirements of the class established by the Civil Service Commission for the class of position in which he acquires status.

- (b) The employee shall not be required to take an examination to retain his position, but ~~shall not be promoted to any other classified position in the Merit System unless he meets the same requirements required of other employees for promotion.~~
- (c) The employee may be inducted into the Merit System at the step of the salary range nearest to the salary he was receiving as an employee of the superseded organization, provided that such salary is not higher than the maximum salary assigned to the class of position in which he is hired.
- (d) For purposes of step increments, retirement, seniority, sick Leave, vacation benefits, or any other compensation, the employee shall be treated in the same manner as a ~~new County employee~~ unless otherwise specified by the Board of Supervisors.
- (e) In the event that an employee of a superseded organization does not meet the requirements for County employment as provided in paragraph (a) of this section, the employee may be hired in the next lower class for which he meets the requirements in accordance with the provisions of the salary ordinance or he may be hired as a temporary employee subject to the provisions of temporary employment in such class and at such salary as approved by the Board upon the recommendation of the County Administrator.
- (f) An employee with less than one year of service shall be given probationary status and shall be required to serve a probationary period of one year unless otherwise specified by the Board of Supervisors.
- (g) An employee with one year of continuous service in the superseded organization in a position similar in duties and compensation to that class in which he is placed in the Merit System may be given permanent Merit System status, or may be required to serve a probationary period of one year.
- (h) An employee with one year of continuous service in the superseded organization but

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not in a position similar in duties and compensation to that class in which he is placed in the Merit System shall be given probationary status and shall be required to serve a probationary period of one year of continuous service unless otherwise specified by the Board of Supervisors.

- (i) An employee of a superseded organization shall be required to meet the same physical standard; required of other applicants for County employment, except that such employee with remedial physical impairments may be hired upon approval of the Senior Medical Examiner. Such employee may be required as a condition to employment to seek correction of his physical impairments within a reasonable period of time and may be required to execute a waiver of any and all rights to a disability retirement under the County Employees Retirement law of 1937 as provided in Section 10000 of the Government Code."

Specifically, the above provisions shall be applied in the following manner:

(1) Salary of District Employees in Comparable Classes

Any District employee in a class which is identical or identified as comparable to an existing County class shall be placed in the County class with its corresponding salary range at the step which is nearest to the salary the employee was receiving in the District, as long as it does not exceed the top step of the range. District employee's longevity pay and OASDI supplements shall be considered part of salary.

Comparable classes such as the following

will be identified:

District Class.

Nurse Practitioner
Physician's Assistant

District Class

Account Clerk XI
Accounty Clerk III
Clerk I
Clerk II
Clerk III
Clerk Stenographer II
Clerk Stenographer III
Clerk Typist II
Clerk Typist III
Data Entry Operator/Trainee
Duplicating Equip. Operator
Key Punch Operator
Laboratory Assistant
Occupational Therapist
Physical Therapist
Physical Therapy Aide
Registered Nurse
Secretary
Supervising Physical Therapist

County Class

Accounting Technician I
Accounting Technician II
Clerk I
Clerk II
Specialist Clerk
Clerk Stenographer II
Clerk Stenographer III
Clerk Typist II
Clerk Typist III
Specialist Clerk
Offset Equipment Operator I
Data Entry Operator I
Laboratory Assistant I
Occupational Therapist I
Physical Therapist
Rehabilitation Therapy Assistant
Staff Nurse I
Secretary
Chief Physical Therapist

(2) Salary of District Employees in Unique Classes

For positions where no existing County class can properly be identified as comparable, the County shall adopt new classes. If appropriate, salary ranges for these classes shall be negotiated with the representative of the assigned bargaining unit(s). For classes in unrepresented units, salary ranges shall be adopted by the Board of Supervisors in accordance with County policy. The County policy, among other things, shall consider salary comparison among other counties and the interrelationship of the newly created positions within the County structure.

The specific salary for District employees placed in the County's new classes shall be determined as in sub-section (a) above.

District classes for which there appears to be no corresponding County class have been identified as follows:

Dental Aide I	Administrative Service Officer	Health Program Advisor II
Dental Aide II	Air Pollution Engineer Trainee	Home Health Aide
Nutrition Aide	Air Pollution Inspector Trainee	Instrument Technician
Administrative Assistant	Air Pollution Inspector	Laboratory Helper Trainee
P.H. Microbiologist Trainee	Assistant Air Pollution Engineer	Milk Technician
Air Pollution Planner II	Assistant Director of Nursing	Milk Inspector
Jr. Air Pollution Engineer	Assistant Director of	Public Health Aide
Air Pollution Planner II	Environmental Health	Public Health Laboratory
Case Manager	Assistant Health Officer	Technician
Supervising Air Pollution	Associate Air Pollution Engineer	Public Health Microbiologist
Inspector	Audiometrist	Public Health Nurse
Supervising Public Health	Community Health Nurse	Public Health Nutritionist
Microbiologist	Community Nurse Assistant	Public Health Physician I
Program Coordinator	Consultant in Health Education	Public Health Physician II
Clinic Manager	Dental Health Officer	Registered Sanitarian
Assistant Director Adminis-	Dental Hygienist	Sanitarian Trainee
tration	Director of Environmental Health	Senior Public Health
Senior Air Pollution Engineer	Director of Laboratory	Microbiologist
Senior Public Health Nurse	Director of Nursing	Senior Registered Sanitarian
Supervising Public Health	District Health Officer	Supervising Milk Inspector
Nutritionist	Environmental Health Aide	Supervising Public Health
	Health Education Assistant	Nurse
	Health Educator	Supervising Sanitarian

(3) Status of Employees

A District employee with less than one year of service shall be probationary and required to serve the balance of his probationary period with the County until total service equals one year. Any District employee with one year of continuous service shall be given permanent status with the County.

As a clarifying point, employees who have served **their** one year probationary period with the District will not be required to have a new probationary period with the County.

(4) Fringe Benefits

District employees shall be **allowed** vacation accrual at the County's **accrual** rates based on total **continuous** and **consecutive** service with the District.

District vehicles shall become County property and employee's use of cars shall be in accordance with County policies.

All other benefits, except retirement, shall be equal to the County policies and Memoranda of Understanding with each County bargaining unit.

The Memoranda of Understanding between the District and its employee representatives shall expire on dissolution of the District.

(5) Seniority

District employees shall have seniority for public health purpose computed on continuous service with the District and the County.

(6) Existing Liabilities

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In an effort to reduce the District's liabilities for payment, it is agreed there will be a hiring freeze on any current vacant positions or any future vacancies unless mutually agreed otherwise. The intent is that critical **positions** and outside funded positions will be filled.

Accrued compensatory time of District employees shall be paid in cash ~~in full~~ prior to the employee's transfer ~~in full~~ to County service. Any accrued vacation time in excess of the maximum ~~accrued~~ permitted by County shall be paid in cash in full prior to employee's transfer to County. At the employee's option, accrued sick leave shall be paid by the District in accordance with its Memoranda of Understanding or transferred to the County.

Employees may retain their sick leave accruals and any vacation accruals up to the aforementioned maximums. These accruals shall thereafter be administered in accordance with the County Memoranda of Understanding with each County bargaining unit.

d) In accordance with Section 56844(1) of the Government Code, upon the dissolution of the San Joaquin Local Health District, all employees and former employees of the San Joaquin Local Health District who are members and beneficiaries of the pension (retirement) plan established by the San Joaquin Local Health District shall continue to have the rights, privileges, benefits, obligations and status with respect to such pension plan *as may exist at the time of such transfer and succession.* As long as District employees are retained in the existing contract with PERS, there is no requirement to deal with the deficit. The Public Employees Retirement Law (Government Code, Section 20000 et seq.) has been amended to allow employees providing these public health services to continue as a contract unit with PERS after the County assumes public health functions. Future employees of the public health positions shall also be members of the PERS contract unit, until such time that the unfunded liability under the PERS contract is eliminated through attrition. The County may then seek to consolidate the public health services employees with other County employees in the County's retirement system. As a clarifying point, the membership in the PERS system will continue exactly

as it exists today both for employee and employer contributions and for benefits to employees (vesting etc.).

- e) In accordance with Section 56844(1) of the Government Code, upon dissolution of the San Joaquin Local Health District, Dr. Jogi Khanna shall be the Public Health Officer and a member of the Executive Management Representation Unit. The public health responsibility shall be a function of County government and shall be assigned by action of the Board of Supervisors after input from the Board of Trustees of the San Joaquin Local Health District or the Public Health Advisory Board. It is recognized that the organization of health care services in San Joaquin County operates on an agency concept with integral operating departments reporting to the Board of Supervisors through the equivalent of an agency director.
- f) In accordance with Section 56844(k) of the Government Code, upon dissolution of the San Joaquin Local Health District, the Board of Supervisors shall, pursuant to State statute, establish a San Joaquin County Advisory Board for Public Health, which Board shall consist initially of members of the San Joaquin Local Health District Board of Trustees. The terms of the new Advisory Board members shall

be identical to the present terms of the San Joaquin Local Health District Board of Trustees and the appointment of future Advisory Board members shall correspond to the present composition of the San Joaquin Local Health District Board of Trustees; and, further, the Board of Supervisors shall select replacement Advisory Board members from a list of five recommendations from the respective cities presently having appointment power. In the absence of five recommendations, the Board of Supervisors shall have the right to appoint an Advisory Board member who resides in the city in question. The Public Health Advisory Board shall be charged with the duty of advising the Board of Supervisors on matters of public health. Said advisory power is to be contained in the statutory language.

- g) The effective date of the dissolution of the San Joaquin Local Health District shall be on the date of the execution of the certificate of completion.

5. The Secretary of the San Joaquin Local Health District is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the San Joaquin County Local Agency Formation Commission and to take such further action as may be necessary to carry out the purpose and intent of this resolution.